



special  
collections  
**DOUGLAS**  
**LIBRARY**



QUEEN'S UNIVERSITY  
AT KINGSTON

KINGSTON ONTARIO CANADA









---

---

THE  
CONVENTION  
Vindicated.

---

---

150176 770 0

T H E

# CONVENTION

Vindicated from the

MISREPRESENTATIONS

OF THE

E N E M I E S

OF OUR

P E A C E.

---

---

L O N D O N:

Sold by J. Roberts, in Warwick-Lane. 1739

( Price Six Pence. )

AC 711.1737.W54

THE HISTORY OF

THE CHINESE IN AMERICA

BY JAMES W. COOPER

IN TWO VOLUMES

VOLUME I

FROM THE ARRIVAL OF THE CHINESE IN AMERICA TO THE

OUTBREAK OF THE GOLD RUSH

WITH A HISTORY OF THE CHINESE IN CANADA

AND A HISTORY OF CHINESE MIGRATION

TO THE PRESENT TIME

WITH A HISTORY OF CHINESE MIGRATION

TO THE PRESENT TIME

WITH A HISTORY OF CHINESE MIGRATION

TO THE PRESENT TIME

THE  
CONVENTION  
Vindicated.

AFTER the strong Appearances there were last Spring, that a War with Spain was unavoidable, to procure Redress to our injured Merchants, and future Security to our American Trade, it must give a very sensible Pleasure to the Friends of the Government, to see so fair a Prospect of having the Differences which have so long subsisted, amicably and effectually accommodated by Way of Treaty, which the Preliminary Convention ratified by the two Crowns gives the greatest Assurances of.

And this Pleasure is not a little heighten'd by the visible Mortification it has given to the

Enemies of our Peace, who have no Hopes of succeeding in their ambitious Views, or of gratifying their implacable Resentments, but by distressing the Administration, and throwing Affairs both at Home and Abroad into Confusion. These Gentlemen had flatter'd themselves, that the Misunderstandings between the Crowns of *Great Britain* and *Spain* were carried to such a Height, and the Differences between them so great, that a Rupture must needs be the immediate Consequence; that the Ministers did not dare to try any other Measures, and that if they did, they could not succeed. And to do them Justice, nothing has been wanting on their Parts, by all provoking and inflammatory Methods, to bring Matters to such a Crisis: They did not think, *Spain* would ever submit to such Terms for a Convention as the *British* Ministry could accept; and as the Distance between *London* and *Madrid*, joined to the natural and well-known Dilatoriness of that Court, would unavoidably require a good deal of Time before the Convention could be returned, the Patriots conceived no small Hopes, that the King would be obliged to open the Session without being able to give the Parliament the Satisfaction they now have, that any thing was finally concluded with *Spain*. And then what Matter of Triumph would there have been to these honest Gentlemen, who have the Good of their Country so much at Heart! How tragically would they have lamented the miserable Condition

dition of the British Merchant ! How furiously would they have declaimed against the Weakness of our Counsels, and the Folly of our Ministers ! How sanguine would they have been in their Hopes of exciting a general Resentment, against *Spain*, against the Ministry, within Doors as well as without ; and that in Consequence of this, an immediate Rupture with *Spain* would have been inevitable ! And if they could by any Methods plunge their own Country into a ruinous and destructive War, they reckoned their Point gain'd, the Blame of it would without the least Ceremony have been thrown upon the Ministry, and then the universal Cry, they hoped, would be, that a Change of Hands was absolutely necessary to save the Nation, and recover it out of the Difficulties they had themselves most wickedly thrown it into.

But happily for us, they have been disappointed in both these Views ; the Convention arrived, ratified on the Part of *Spain*, Time enough for all Purposes, tho' not by some Days so soon as was expected and desired. And the King has been enabled to open the Session with a most Gracious Speech, the Contents of which have given great Satisfaction to the Parliament, as well as to himself. *It is now*, says his Majesty, *a great Satisfaction to Me, that I am able to acquaint you, that the Measures I have pursued, have had so good an Effect, that a Convention is concluded, and ratified between Me and the King of Spain ; whereby, upon Consideration had of the Demands on both sides,*

sides, that Prince hath obliged himself to make Reparation to my Subjects for their Losses, by a certain stipulated Payment ; and Plenipotentiaries are therein named and appointed, for regulating, within a limited Time, all those Grievances and Abuses, which have hitherto interrupted our Commerce and Navigation in the American Seas, and for settling all Matters in Dispute, in such a Manner, as may for the future, prevent and remove all new Causes and Pretences of Complaint, by a strict Observance of our mutual Treaties, and a just Regard to the Rights and Privileges belonging to each other. I will order the Convention, and the separate Articles, to be laid before you. It hath been my principal Care, to make use of the Confidence you reposed in me in this critical and doubtful Conjuncture, with no other View, but the general and lasting Benefit of my Kingdoms ; and if all the Ends, which are to be hoped for, even from successful Arm's, can be attained, without plunging the Nation into a War, it must be thought, by all reasonable and unprejudiced Persons, the most desirable Event.

And as the King in his Speech from the Throne promised it should be laid before the two Houses, so it was done as soon as the Translations and Copies could be got ready. The Session opened the 1<sup>st</sup> of February, and the 8<sup>th</sup> these Papers were delivered to the two Houses, and by his Majesty's Command they have been since printed, that his People may see with their own Eyes, and not thro' the

the false Lights that have in so many various Positions been held up to them, what it is has been transacting, and what Foot our Affairs, with respect to *Spain*, are in reality upon. The Patriots were in the deepest Concern, least this Convention should be well received by the People, even before they knew a tittle of it ; they have expressed their Fears in a most surprizing Manner, lest the City should, tho' for a few Days only, entertain the least favourable Opinion of it ; and therefore with great Decency and Dutifulness have in all Places damned it, and pronounced it to be an infamous Transaction, without Hearing or Tryal, or allowing it a Minute's Time to speak for itself. One would suspect they thought they could with more Decency harangue and declaim against it before they knew it, than they could afterwards, because they could do it with less Self-conviction ; since they might then be at more Liberty to pronounce it a bad one, than they could when themselves, as well as the rest of the World, saw it was in reality a good one. That it is so, all reasonable and impartial Men must own, who will calmly examine the Contents of it and give it a fair Hearing, as I hope will very evidently appear, by going thro' the several Parts of it. The more it is taken to Pieces, the better it will be found to bear Inspection ; and the more minutely it is considered, the more Satisfaction it will give to all, except those, whose ambitious and self-interested Views make them wish it were a bad one.

To judge of this Convention, we must remember, what it was that was proposed to be done by a Treaty with *Spain*; that is, what were the Grievances complained of by the *West India* Merchants, and what in pursuance of that was by the two Houses of Parliament recommended to the King; now that consists of these two Points:

Satisfaction to our Merchants for past Grievances.

And, future Security for our Trade and Navigation in the *American Seas*.

These are the two Points the Ministers were to try to effect, first by friendly Methods, and in the way of Treaty. And of these the first is absolutely and finally adjusted in this Convention, and a proper Foundation is by it laid for happily and effectually settling the other Point, by a Treaty soon to commence, and limited to a short Term.

As to the Satisfaction in this Convention stipulated to the Merchants, 'tis this; Art. 3. After having duly considered the Demands and Pretensions of the two Crowns, and of their respective Subjects, for Reparation of the Damages sustained on each side, and all Circumstances which relate to this important Affair; It is agreed, that his Catbolick Majesty shall cause to be paid to his Britannick Majesty the Sum of Ninety five thousand Pounds Sterling for a Balance, which has been admitted as due to the Crown and the Subjects of Great Britain, after Deduction made of the Demands  
of

of the Crown and Subjects of Spain ; to the End that the abovementioned Sum, together with the Amount of what has been acknowledged on the Part of Great Britain to be due to Spain on her Demands, may be employed by his Britannick Majesty for the Satisfaction, Discharge, and Payment of the Demands of his Subjects upon the Crown of Spain. By this Article we see it is agreed, that his Catholick Majesty shall pay the Sum of 95000*l.* for Satisfaction to the Merchants, together with the Amount of what has been acknowledged on the Part of Great Britain to be due to Spain on her Demands ; which is generally understood to be 60,000*l.* making together 155,000*l.* To judge of this Satisfaction, and see how this comes to be the Sum, that ought in reason to be paid the Merchants by the King of Spain, it must be remembred, that Spain had Demands upon England, as well as England upon Spain ; which perhaps may be News to those whom the Patriots have taken so much Pains to keep in the dark ; who tell the People of nothing but of our Demands from Spain, but not a Word of any thing being due to Spain from us. This they are so unwilling to hear of, that I have heard, Patriots with a grave Face express great Astonishment and Surprize at it, Patriots who would take it very ill not to be thought very knowing in foreign as well as domestick Affairs ; as if it were perfectly a new thing, and they had never heard a Word of it ; and yet 'tis so far from being new, that it is expressly stipulated in the Treaty

of Seville. Art. 5. *Commissaries shall be nominated, with sufficient Powers, on the Part of their Britannick and Catholick Majesties, who shall assemble at the Court of Spain within the Space of Four Months after the Exchange of the Ratifications of the present Treaty, or sooner if it can be done, to examine and decide what concerns the Ships and Effects taken at Sea on either Side to the Times specified in the preceeding Article.* — The said Commissaries shall likewise discuss and decide the Preten-sions which his Catholick Majesty may have, by Virtue of the Treaty of One thousand seven hundred twenty one, for the Restitution of the Ships taken by the English Fleet in the Year One thousand seven hundred eighteen. For, in that Treaty made at Madrid in 1721 is this Article. Art. 5. It is also agreed, That his Britannick Majesty shall cause to be restored to his Catholick Majesty all the Ships of the Spanish Fleet which were taken by that of Eng-land, in the Naval Battle that was fought in the Month of August 1718, in the Seas of Sicily ; with the Guns, Sails, Rigging, and other Equipage, in the Condition they are at present ; or else the Value of those which may have been sold, at the same Price that the Purchasers shall have given, according to the Proofs and Vouchers.

How strange must it seem to all Men of Sense, to hear a Thing so fully stipulated in these Treaties, treated as a Thing never be-fore heard of, and that by Persons of Figure and Distinction, not only with a seeming Surprize, but

but with no small Indignation, as if it were a Reflection on the Honour of the Nation, never to be forgiven ! But to be serious ; This Restitution and Satisfaction stipulated by the Treaty of Seville, consists of two Heads, one for Injuries and Damages suffered by the *Spaniſh* Merchants from *England* ; this Demand is, you see, of the same Nature with that in Behalf of our Merchants from *Spain* ; the other is, Reſtitution and Satisfaction for the *Spaniſh* Ships taken by the *Engliſh* Fleet in the Sea-fight in the *Sicilian* Seas in the Year 1718. They who know the Value of a Man of War, with all its Ammunition and Rigging, will presently ſee that an Equivalent to be given for any Number, muſt amount to a great Sum ; the Money given to the Seamen for the Captures in that Engagement, was between 30 and 40,000*l.* I ſhould obſerve, that this Satisfaction to *Spain* was ſtipulated by Ministers, who we may be ſure, were the moſt averse in the World to it, if they could with any Shew of Justice have avoided it ; by thoſe very Ministers who had the chief Direction of our Affairs at the Time when that memorable Engagement happened.

This being ſo, 'tis in vain to amuse People upon this Part of the Convention, as unreasonable or dishonourable ; we are as much obliged to it, as fully and as strongly, as *Spain* can be obliged to make Reſtitution or Satisfaction to our own Merchants ; they are reciprocal Contracts, and stand Parts of the ſame Treaties.

As

As the settling the reciprocal Satisfactions to be given to each Nation by the other, was in the Nature of it a Work of a long Detail ; after the Treaty of *Seville*, and in pursuance of what was stipulated in it, Commissaries were appointed to settle those Demands on each side at *Madrid*, and it was proposed to be done in the space of three Years ; and the necessary Powers were given to them finally to adjust those Claims on both sides, and what they agreed to, was to be *decisive*. And great Progress was made in this Affair, but still a great deal remained to be adjusted at the Expiration of the three Years : But the Commissorial Powers were still continued, and it being found very inconvenient, to settle some Claims not finally adjusted, at *Madrid*, and particularly the intricate and voluminous Accounts depending between the Crown of *Spain* and the *South-Sea Company*, two of the Commissaries returned into *England*, with an Intention to settle here, what still remained undetermined, with Commissaries to be appointed here on the Part of *Spain* to finish this long Work : And in this State Things were when this new Negociation with *Spain* began. Tho' the Commissaries had not finished their Business entirely, yet what they had done, was of great Service towards putting an End to this very difficult and intricate Affair in the Manner it is now settled. The Demands of the Merchants upon the Crown of *Spain*, given to the Commissaries, together with the Claims at the Bar

Bar of the House of Commons, and an Estimate for Ships there claimed, amounted to 343,277*l.* but upon a careful Examination into the particular ~~Claims~~, it being found that some had no just ~~retensions~~ to any Allowance, and others by being over-rated had no Pretence to the Values claimed and demanded, the first Sum was by proper *Disallowances* reduced to 200,000*l.* as what was sufficient to answer all the just Claims and Demands of the *British* Merchants : And the next Consideration being, when and in what Manner the Payment of the Sum to be paid to the Subjects of *Great Britain* should be made, considering the Nature of Cedulas for Restitution in the *West Indies*, and to what Uncertainty or Delays Assignments upon the growing Revenues of the King of *Spain* might be liable, the only possible Means of receiving what should be agreed to, except by Payments in ready Money in *London*, it was agreed on the Part of *Great Britain* upon that Consideration to make a further Reduction of 45000*l.* which reduced the Demand upon *Spain* to 155000*l.* On the other Hand the Demands of *Spain* upon *Great Britain* amounted to 180,000*l.* but it being insisted upon on the Part of *Great Britain* not to admit of a greater Sum to be due to *Spain* than 60,000*l.* that Sum deducted from the Sum of 155000*l.* makes the Balance of 95000*l.* the Sum which the King of *Spain* has by the 3d Article of the Convention obliged himself to pay, together with a total Discharge of all Claims upon the Crown of *Great Britain* ;

*Britain* ; which are to be employed by his *Britannick* Majesty towards the Satisfaction and Payment of the Demands of his Subjects upon the Crown of *Spain*.

And thus the Nation are happily got to the End of one of the most difficult, and most disagreeable Disputes it could be engaged in ; and the Demands of *Spain* on Account of that naval Fight in which the Honour and Interest of that Crown were so highly concerned, are finally liquidated and extinguished ; a Thing in all Views of great Difficulty, and of the greatest Nicety that can well be imagin'd ; and in Proportion to the Difficulty ought our Satisfaction to be, to see it at last so well ended : It being by the first separate Article, covenanted that this Sum shall be paid in London *within the Space of four Months from the Exchange of the Ratifications, or sooner, if possible.* Here is no Room for Evasion or Chicane. Every Thing is distinctly settled, the Sum, the Place, the Time, that it is to be paid in Specie, to such Persons as shall by his Majesty be appointed to receive it. And here, in Justice to the King's Ministry, it must be observed, that they have taken Care to have this Article for the Payment of the 95,000*l.* stand clear of the Disputes between the King of *Spain* and the *South Sea Company*, and that his Demand upon them shall not be transferred to the King or to the Merchants, and accepted in Part of Payment ; the Engagement for the Payment of the aforesaid Sum is absolute and fixed to a certain Time at a short Distance. This I take  
to

to be a very material Point ; and that the Merchants have great Reason to thank the Ministers for their Care in this Respect ; since if the King of *Spain* had turn'd over his Demand upon the *South Sea Company*, in Part of Payment to them, the Satisfaction they are to have, might still be a great Way of, before it is received.

What it is that reasonable Men upon this Head, can desire more, I can't conceive : I say reasonable Men, for some are always upon their Prancing Horse ; they are resolved nothing shall be deemed a sufficient Satisfaction, unless Satisfaction be also made for the Expences we have been at in giving Weight to our Negociations by a strong Fleet : a very extraordinary Demand ! We are very much obliged to these Gentlemen, for their great Care and Zeal for the Interest and Honour of the Nation. I presume these Gentlemen, who are extremely well versed in History, and particularly in that of their own Country, know this to be an usual Practice and an established Right between Princes and States in War, or at Variance with each other, that the Expences one Side has been at in Preparations to prevent a War, or incurred in the Prosecution of one, should be repay'd by that Party that is in the Wrong, or that sues for Peace ; they can tell us no doubt, that *France* and *Spain* paid to *England* to purchase a Peace at the Conclusion of the last War the Sum of about Fifty Millions, and nearly the same Sum

to the States General, and in Proportion to all the other Powers of the Grand Alliance engaged at an infinite Expence of Blood and Treasure in the Prosecution of that most just and necessary War. I should be extremely glad, for the Sake of my Country, these Gentlemen could make sufficient Proof of this ; but I am afraid, whatever that Peace might cost *France* in the Bargains they made with certain particular Persons for it, *England* never got a single Shilling by it. When these Gentlemen can give any Instances parallel to the present Case, I shall think them in the Right in demanding (I wont say expecting, for sure I am they don't expect it) such a Satisfaction now ; but till they do, they will give me Leave to say, any such Practice between Princes is a Secret to me, and what I never heard of.

But perhaps they will be so good as not to insist much upon this, nay 'tis possible they may, upon the Balance of Accounts, when they consider the Nature of the Demand of the King of *Spain* upon the Crown of *England*, allow that the Satisfaction stipulated for the Merchants is not very unreasonable : but then they say, first, that this Satisfaction, were it never so adequate, nay, were it ten Times a greater Sum than *Spain* has agreed to pay, is a Trifle, 'tis nothing compared to the other Point, the future Security of our Trade and Navigation in the American Seas : And that this Point should have been secured in the first Place, and have been the Business of a Convention,

vention, and the Satisfaction to the Merchants have been left to be discussed by the *Commissaries* or *Plenipotentiaries*; for they are pleased to think, that these two Words mean on this Occasion one and the same Thing; only that the Name of *Plenipotentiaries* will entitle the Persons employed to greater Salaries, and perhaps with this farther Difference, that under this new Title they may *plenipo* and give up all our Rights, those very Rights which they are appointed to support and maintain. Wild and extravagant as this Language is, sure we are, the Patriots are not ashamed to use it; as if stating an Account and negotiating a Treaty were one and the same thing; whereas no two Things can be more different, one the proper Business of Commissaries, the other necessarily requiring the Character of Plenipotentiary Ministers; but more absurd is it to suppose, that Ministers invested with such Powers, would be empower'd to give up the Rights they are to defend, or that they were not to govern themselves according to the Instructions given them; which if they transgress or exceed, they will immediately be disavowed, and whatever they agree upon that is prejudicial to their Master's Interest, will be null and void for want of being ratified: This therefore is the wildest Fancy that can be imagined, and had I a mind to expose a Man, I could wish for nothing better, than that he would write or talk in a publick Company at such a Rate.

But to come to what has some face of an

Objection ; they say the Security of our Trade should have been first taken care of, and been the Subject of the Convention ; as if it were an *easier* Matter, as well as it is a Matter of more Importance. But here I must take the Liberty to differ from them ; and beg Leave to remind these Gentlemen of two Things ; first, that we have no Right to demand any thing of *Spain* that we are not intitled to by Treaty ; and next, that if we and the *Spaniards* differ in the Sense and Meaning of any of the Articles in the Treaty of 1670, which is the only Treaty that relates properly and solely to the *West Indies*, this, in the Nature of it is a Work of long and difficult Discussion, and the Differences arising upon the different Interpretations put upon the Articles of a former Treaty, can be no way effectually settled but by a new Treaty ; and besides, the Difficulties from the very Nature of the Thing may be such, as to make it impossible to be settled in such a Manner, as to stand clear of all Uncertainties, if the contracting Parties are not mutually disposed by Friendship and a joint Interest to avoid Disputes and Controversies. And I apprehend it is the Difficulty in the Nature of the Thing, that has been the true Reason why the Treaty of 1670 is not more explicit and precise, to prevent all future Differences, and that We and *Spain* may not take the Language of this Treaty in one and the same Sense.

And from hence it might be easily and suffi-

sufficiently shewn, if it would not extend this Paper to too great a Length, that the adjusting all Matters relating to the future Security of our Trade and Navigation in the *American Seas*, is not so easy a Matter, or to be dispatch'd in so few Words, as the Patriots would persuade People: It must be done on the Foot of Treaties now subsisting, and it must be attended, or go Hand in Hand with a like Security to the Rights of the King of *Spain* stipulated in the same Treaties; and therefore that it was much properer to leave this to Plenipotentiaries, than the Satisfaction to be given to the Merchants: for not to insist on this, that what is first in the Petition, should first be taken Care of, there was this plain Reason for settling the Satisfaction first: If the Security had been treated first, and that Point could not have been adjusted to mutual Satisfaction, the Satisfaction to the Merchants had been utterly lost; whereas now that Point is secured, whatever become of the other; and the Account that has hung so long between the two Crowns, in relation to the Claims of each upon the other, is now finally and absolutely terminated. Sure 'tis some Thing to have gained this, and this will naturally tend to facilitate the terminating of the other Point in an amicable Manner. In Truth, the King of *Spain's* consenting to give this Satisfaction in the Convention, is a manifest Indication, that he is sincere in the Hopes he gives, that nothing shall be wanting on his Part, to bring

the

the Treaty that is so soon to follow to a good Issue : For if he did not intend it, why did he comply thus far ? If he does not sincerely mean to give us all reasonable Satisfaction for the Security demanded for the Future, why did he give any Satisfaction for what is past ? He might as well have granted neither, as not grant both. By the Satisfaction already granted a Difficulty is taken out of the Way, which might greatly have obstructed the Treaty ; That the King of *Spain* himself in his full Powers assigns as the Reason of his agreeing to this Convention, and there can be no doubt but that the Negotiation will by this Means be carried on more smoothly. In the mean time the Minds of the People, that have so villainously been inflamed, will be calmed, and their Heat gradually subside, when they see something is fully and effectually already done. But that, I apprehend, is the great Crime of the Convention, that it will tend to quiet the Peoples Minds ; a Thought not to be born by those who can't live but in Storms, and can no more bear a Calmness by Land, than Passengers generally can, without being extremely sick, bear a Calm at Sea.

Well, thus far we are got, one Point is secured ; but that wont give these Gentlemen Content : Satisfaction to the Merchants is secured, but they tell us nothing else is ; and consequently the Liberty of Navigation is given up, and that therefore it will be in vain for us to expect a Security in that Point ; or if

if not expressly given up, yet that no Care at all is taken of it in this Convention ; which comes to much the same Thing. But how so ? with what Face is this asserted ? And by whom ? By those who have given so many Proofs that they are ashamed of nothing. I should have thought, the agreeing to appoint Plenipotentiaries, the actual naming of them that no Time might be lost ; the Term of Six Weeks in which the Conferences are to begin, the short Term they are limited to, viz. Eight Months, together with the enumerating the Points they are to treat upon ; I should have thought this was doing something, and have taken it for a plain Indication that the Liberty of our Navigation is so far from being given up or neglected, that all due and proper Care is taken of it. But if they please, we will look a little more carefully into the Convention, and the Separate Articles, and full Powers, and see whether *they* are in the Right, or those who tell them they are greatly and wilfully mistaken ; and upon this Search and Examination we shall find, they are truly told so. First then let us see the Preamble of the Convention ; there is no better Way of knowing the Sense of any publick Instrument of any Law or Treaty, than by looking carefully into the Preamble ; that is a Sort of Key to the Whole. Now the Preamble of the Convention begins thus,

*Whereas Differences have arisen, of late Years, between the two Crowns of Great Britain*

tain and Spain, on account of the visiting, searching, and taking of Vessels, the seizing of Effects, the regulating of Limits, and other Grievances alledged on each side, as well in the West Indies as elsewhere; which Differences are so serious, and of such a Nature, that if Care be not taken to put an entire stop to them for the present, and to prevent them for the future, they might occasion an open Rupture between the said Crowns: For this Reason his Majesty the King of Great Britain, and his Majesty the King of Spain, having nothing so much at Heart as to preserve and corroborate the good Correspondence which has so happily subsisted. In the first Part of this Preamble we see express Mention made of Visiting, Searching, and taking of Vessels and the Seizing of Effects, as well as of other Grievances: These Words, and other Grievances, is a plain Acknowledgment, that in each of the Particulars specified there have been Grievances, and consequently in the visiting and searching of Ships; how then can it be pretended that these are given up or forgot? But the Preamble goes on and says, that the Differences that have by these Means arisen between the two Crowns are so serious, and of such a Nature, that if Care were not taken to put an entire Stop to them for the present, and to prevent them for the future, they might occasion an open Rupture between the two Crowns: This shews, that these Particulars were complained of, not only as Grievances, but as very great Grievances,

Grievances, as being such, that if not immediately put a Stop to, and prevented for the future, must put an End to the Friendship between the two Crowns and produce a Rupture. It goes on, that the two Kings having nothing so much at Heart as to preserve and corroborate the good Correspondence which has so happily subsisted, have thought proper to grant their full Powers, &c. To the same Purpose, 'tis declared in the first Article, That where-as the ancient Friendship so desireable and so necessary for the reciprocal Interest of both Nations, and particularly with regard to their Commerce, cannot be established upon a lasting Foundation, unless Care be taken not only to adjust and regulate the Pretensions for reciprocal Reparation of the Damages already sustained, but above all, to find out Means to prevent the like Causes of Complaint for the Future, and to remove absolutely and for ever every Thing which may give Occasion thereto; It is agreed to labour immediately, with all imaginable Application and Diligence, to attain so desirable an End. Is not this, agreeably to the Preamble, an Acknowledgment of the Necessity there is to take all possible Care to remove all Grievances for the future, to take away all Causes and Occasions of Complaint; that is, that those Things which have been done, and are complain'd of, as heavy Grievances, may be done no more? That some effectual Methods may be taken to prevent the like for the future, Plenipotentiaries shall be appointed. Is not this in the strongest Man-

ner a Confession, that Visits and Searches have been complain'd of? Is not this a full Declaration, that the best Endeavours shall be used to take away all Cause of Complaint for the Time to come? Men must be wilfully blind that can read this Convention, and yet affirm that nothing is taken Care of in it but Satisfaction to the Merchants for what is past, without any Care to prevent the like Grievances for the Future. I wish these Gentlemen would try their Skill, and draw a Preamble and Article in stronger and better Terms, to shew the Future was not forgot when this Convention was made. 'Tis in both declared, that the ancient Friendship between the two Crowns is most desireable and most necessary for their mutual Interests; that this can't subsist, if the Grievances complain'd of be not for the Future prevented, and proper Means found out for that Purpose; and to this most desireable End, the King of Spain as well as his Majesty, promises to give the greatest Attention, and that the utmost Diligence and Application shall be used, and Full Powers given to treat, &c.

And the same is the Language of the first separate Article, viz. *Whereas it has been agreed by the first Article of the Convention, that Plenipotentiaries shall be named immediately after the signing of it, to meet at Madrid in six Weeks after the Exchange of the Ratifications; their said Majesties, that no Time may be lost in removing by a solemn Treaty all Cause of Complaint for the future, and in establishing*

ing thereby a perfect good Understanding and a lasting Friendship between the two Crowns, have named, &c. Go now thou false Tongue, and say, that the Security for our Trade and Navigation for the future is given up, or that no Care is taken of it in this Convention, tho' it be of so much greater Consequence than any Satisfaction to be given to the Merchants. The Grievance to these Complainants, is not that no Care is taken of this Matter, but to find that so much is ; since now upon the Convention's being publish'd, every one that can read is able to give them the Lye ; for can it be pretended, that these Words are capable of any other Meaning, than what I have taken them in ? Is not this the plain, literal, grammatical Sense of them ? Can the Spaniards by any Chicane or Art put any other Sense upon them ? Can they be charged with any Ambiguity or Obscurity ? No certainly, they are capable of no other Sense than what every Reader will take them in at first sight. But is not this Language the Language of one King as well as the other ? Are not the Convention and separate Articles signed by the Ministers of both Kings, ratified by both ? What Pretence then is there for so much as supposing, that these are *our* Words, and taken in *our* Sense, and not the Words equally of the King of Spain, or not understood by him in the same Sense ; when 'tis evident they are capable of no other ? But if there could be the least Shadow of a Doubt in this Case, let us look into the Full Powers given to M. de la

*Quadra*, which is a separate Act, and signed only by the King of Spain himself: Have we not the same Language? Whereas the Differences arisen between this Crown and that of England, by reason of the Captures made by our Guarda Costas in America, Visits, and other Proceedings, — and of other Points equally worthy of Examination and Remedy, — did require a speedy secure Disposition to settle them all amicably. These Passages do clearly shew, that Visiting and Searching have been complained of on our Part, and not denied on the Part of Spain; but on the contrary 'tis admitted that there have been Grievances in these two Articles, as well as in those of Captures and Seizures, and that it is expressly stipulated between the two Crowns, that *above all* Means shall be found out to prevent the like Causes of Complaint for the future, and to remove absolutely and for ever every Thing that may give Occasion thereto. Which is all I contend for, and all that could be expected in a Convention that is preparatory only to a Treaty that is immediately to be negociated. And all this plainly appears upon the Face of this Convention, in direct Contradiction to what has been so industriously infused into the People to prejudice them against it. For Shame then let the Patriots give up these pitiful Cavils, these groundless, these false Assertions, That no Care is taken in this Convention for the future Security of our Trade and Navigation. But whatever Part they think fit to act, I have no Doubt but all impartial Men will rather believe their own Eyes, and upon what they have seen,

seen, be fully satisfied, that this Convention is without Reproach, that not only a reasonable Satisfaction is by it given to the Merchants, but that a proper and good Foundation is laid for carrying on a successful Negociation upon the other Points that remain to be adjusted between the two Crowns, for preventing, as far as possible, all future Grievances ; and all honest Men, instead of raising groundless Clamours and Discontents to weaken the Hands of the Government, and obstruct thereby the Success of the Negotiation, will join with me in wishing a happy Issue to it.

**F I N I S.**



— 2 3 0 3 5















